

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.16172 of 2014

G.Thiyagarajan

... Petitioner

- Vs -

1.The Secretary,
TANGEDCO/ TNEB,
144, Anna Salai,
Chennai 600 002.

2.The Chief Engineer /Personnel,
TANGEDCO/ TNEB,
144, Anna Salai,
Chennai 600 002.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents to consider and pass order to the various representations made by the petitioner dated 29.07.2013, 10.03.2014 and 03.05.2014 in accordance with (Permanent) B.P. (Ch) NO.223 dated 23.11.2009 in clause 13 -7 (VI) in so far as three promotions within a time frame.

For Petitioners : M/S.C.S.Krishnamoorthy

For Respondents : Mr.Karthik Rajan

ORDER

This writ petition has been filed by the petitioner, to direct the respondents to consider and pass order on the various representations made by the petitioner dated 29.07.2013, 10.03.2014 and 03.05.2014 in accordance with (Permanent) B.P. (Ch) NO.223 dated 23.11.2009 in clause 13 -7 (VI) in so far as three promotions within a time frame.

2.The case of the petitioner is that he joined in the Tamil Nadu Electricity Board, in the year 1995 as Administrative Junior Assistant, and thereafter he was promoted as Administrative Assistant in the year 2002 and further promoted as Administrative Supervisor in the Administrative category in the year 2012 and presently he is working in that category in Kancheepuram Electricity Distribution Circle. According to the petitioner, his next promotion being Assistant Administrative Officer which is a gazetted post and he was given only two promotions. There is no disciplinary proceedings pending against him. The grievance of the petitioner is that due to non implementation of the B.P.223 dated 21.11.2009, he is not able to reach his next higher promotional post. In this regard, he made several representations dated, viz., 29.07.2013, 10.03.2014 and 03.05.2014 to the respondent Board, to implement B.P.223 dated 21.11.2009, however till filing the writ petition, no action is forthcoming, in as much as he has retired on 30.06.2014. Hence the petition.

3.Learned counsel appearing for the petitioner submitted that without going into the merits of the issue, it would suffice if this Court directs the respondents to dispose of the petitioner's representations dated 29.07.2013, 10.03.2014 and 03.05.2014 in accordance with (Permanent) B.P.(Ch) NO.223 dated 23.11.2009 in clause 13 -7 (VI) in so far as three promotions within a time frame.

4.On the above contention, this Court heard the learned counsel appearing for the respondents, who has filed a counter affidavit on behalf of respondent, denying the averments made by the petitioner and submitted that the representations made by the petitioner have already been rejected by the respondents.

5. In view of the limited relief sought for and in view of the submission that the representations of the petitioner has already been rejected, without going into the merits of the issue, this Court directs the 1st respondent to consider the petitioner's representations dated 29.07.2013, 10.03.2014 and 03.05.2014, if not already considered and pass appropriate orders in tune with (Permanent) B.P.(Ch) NO.223 dated 23.11.2009 in clause 13 -7 (VI) in so far as three promotions within a period of 12 weeks from the date of receipt of copy of this order, if not considered already. If the petitioner's representations have already been considered and order passed on the same, the same shall be communicated to the petitioner forthwith and on receipt of the said communication, liberty is granted to the petitioner to work out his remedy in accordance with law.

6.This Writ petition is disposed of accordingly. There shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

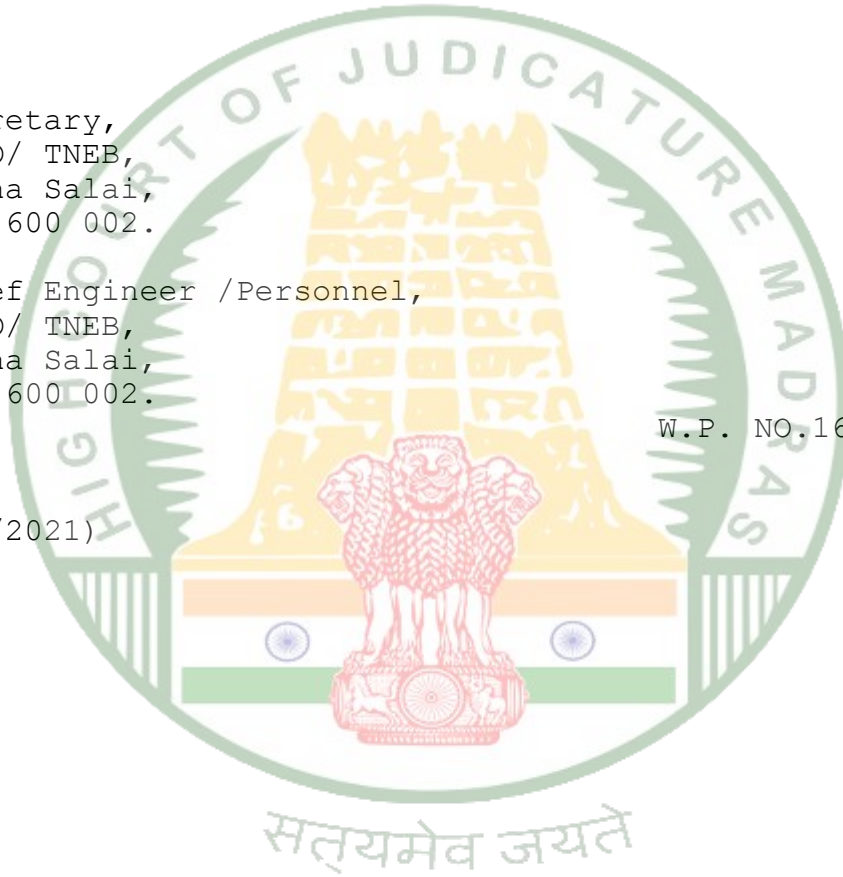
To

1.The Secretary,
TANGEDCO/ TNEB,
144, Anna Salai,
Chennai 600 002.

2.The Chief Engineer /Personnel,
TANGEDCO/ TNEB,
144, Anna Salai,
Chennai 600 002.

W.P. NO.16172 of 2014

NMI (CO)
RMP (04/02/2021)



WEB COPY